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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Billed Party Preference for)
InterLATA 0+ Calls)

CC Docket No. 92-77

**PETITION OF TELTRUST COMMUNICATIONS SERVICES, INC.,
FOR EXTENSION OF WAIVER**

Teltrust Communications Services, Inc. ("Applicant" or "Teltrust"), by its undersigned counsel, hereby requests an extension of its waiver of the implementation date of Sections 64.703 and 64.710 of the Commission's Rules, which require the provision of on-demand rate information for non-access code, operator service calls.

I. INTRODUCTION

On June 30, 1998, the FCC granted in part Teltrust's request for waiver of the July 1, 1998 compliance date for on-demand rate disclosure of non-access calls from aggregator locations.¹ In its Waiver Order, the FCC established November 1, 1998 as the date by which Teltrust must comply with the on-demand rate disclosure rule. The FCC also granted a separate compliance date of January 1, 1999 for collect calls and inmate calls. Although Teltrust worked aggressively to implement the on-demand rate requirement prior to the expiration of the waiver, Teltrust recently determined that it will not be able to conform its systems to provide real-time rate quotes by November 1, 1998.

¹ *Billed Party Preference for InterLATA 0+ Calls*, Order, CC Docket No. 92-77, DA 98-1285 (rel. June 30, 1998) ("Waiver Order").

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As Teltrust and several other parties notified the FCC earlier this year, no technology existed to provide real-time rate information when the FCC adopted its rule on January 29, 1998.² Since then, it has been an up hill battle with technology, manpower and time constraints to develop and reconfigure Teltrust's network to provide real-time rate quotes. The FCC recognized the difficulties encountered by Teltrust and granted Teltrust a waiver of the July 1 compliance date. Despite Teltrust's projection that it would take at least 12 months to develop the necessary technology, the FCC gave Teltrust only four additional months in which to comply. In the short four months, Teltrust has worked closely with its equipment manufacturer to find a technology that will function on Teltrust's network and provide the necessary on-demand rate quotes required by the FCC's rule. However, to date, Teltrust has yet to complete a successful call on the software developed by its equipment manufacturer.

Teltrust's manufacturer provided Teltrust with software which Teltrust loaded and tested in a laboratory environment. After several tests, it became clear that the software failed to work properly and would adversely affect Teltrust's entire customer base. Teltrust notified its equipment manufacturer who redesigned the software, which again failed on Teltrust's laboratory network. Teltrust is working closely with its equipment manufacturer to find a resolution to the problems encountered in the testing phases. Teltrust is currently serving as the "beta" test for this manufacturer that serves many operator service companies. Once a successful software is developed, Teltrust will still need to deploy technicians to its numerous switch locations to load and test the software in that environment.

² *Billed Party Preference for InterLATA 0+ Calls*, Second Report and Order and Order on Reconsideration, CC Docket No. 92-77, 1998 WL 31845 ("Second Report and Order").

Teltrust must be able to complete development of its system, finalize engineering plans, and fully implement and test its new system to ensure that the software works properly and does not disrupt its network. Teltrust consumers must continue to receive high quality, uninterrupted services, including non-access call service. Accordingly, an additional extension of time is essential to permit Teltrust to finalize implementation and properly test the technology necessary for guaranteeing customer satisfaction and complying with the FCC's rules.

II. GOOD CAUSE SUPPORTS GRANTING APPLICANT ADDITIONAL TIME

Section 1.3 of the Commission's rules, 47 C.F.R. §1.3, provides that the FCC may waive any provision of its rules "if good cause therefor is shown." In its Second Report and Order, the FCC specifically anticipated that waivers may be justified. As the FCC stated, "we are prepared to consider waiver requests on a specific factual showing of good cause."³ In its Waiver Order, the FCC found that Teltrust demonstrated good cause for not meeting the July 1, 1998 compliance date and, therefore, granted Teltrust a waiver of the compliance date. As noted, the FCC only provided an additional four months to comply with the rule, which in-house engineers projected would take at least 12 months. The FCC did not grant a lengthier compliance date explaining that it is in the public interest to provide on-demand rate disclosure as soon as possible. While Teltrust understands the FCC's public interest concern, the public interest is not benefitted when a defective service is offered to the public.

While four months did not seem adequate, Teltrust invested significant financial and human resources to meet the new compliance date. Unfortunately, Teltrust and its equipment manufacturer have been unable to complete all implementation and testing phases required to ensure end users are

³ Second Report and Order, at ¶ 27.

not inconvenienced or inhibited from completing non-access calls and does not expect to be finished by November 1, 1998.

In this instance, the good cause found by the FCC in its Waiver Order continues to exist. Teltrust has met unexpected difficulties in the technology developed by its equipment manufacturer. Teltrust is working diligently to meet the FCC's rules and requires additional time to resolve the remaining defects. Teltrust expects to finalize the system over the next few months and believes that it is better to provide a quality service to the public rather than to deploy a system not properly tested that will confuse and frustrate consumers. Accordingly, an extension of time is necessary and good cause has been demonstrated.

III. CONCLUSION

For the reasons stated above, the Applicant requests that the FCC grant its request for a further extension of time to comply with the FCC's requirement that it provide on-demand rate disclosure for non-access code calls.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dana Frix", is written over a horizontal line.

Dana Frix

Kathleen L. Greenan

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Counsel for Teltrust Communications Services, Inc.

October 28, 1998

AFFIDAVIT OF JOSEPH SHARKEY

I, Joseph Sharkey, being first duly sworn, do hereby depose and state as follows:

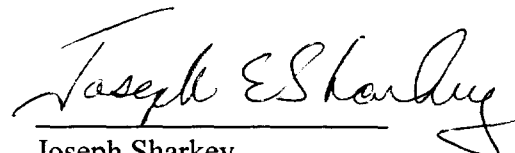
1. I am Sr. V.P. and Chief Operating Officer for Teltrust Communications Services, Inc., ("Teltrust"). In that position, I have the overall responsibility for all technical, network, information and facilities issues.

2. Since February 1998, my staff and I have devoted significant time and energy to ensuring that Teltrust comply with the requirements of the FCC's rule that Operator Service Providers ("OSPs") provide on-demand rate quotes for operator assisted calls. Realizing that the task of developing a technology to meet the demands of this rule would require outside assistance, I contacted representatives from Harris Systems, Teltrust's equipment manufacturer, to help formulate a technology that will function on Teltrust's network and provide the necessary on-demand rate quotes. Harris Systems has been contracted by a number of operator service companies to develop workable solutions to the rate disclosure rule, and chose to use Teltrust as the "beta" test for its network solutions. Harris Systems provided my staff with software which we immediately loaded and tested in a laboratory environment. After several tests, it became clear that the software failed to work properly in our complex multilocation network, and that use of the software in its then current form would adversely affect Teltrust's entire customer base and our ability to bill any traffic. My staff and I immediately notified Harris Systems of the defects in the software. Harris Systems and Teltrust engineers have redesigned the software, but the software again failed to perform adequately on Teltrust's laboratory network. My staff and I continue to work closely with Harris Systems to find a resolution to the problems encountered in the testing phases. To date, Teltrust has

yet to complete a successful billable call on the software developed by our equipment manufacturer. Once a successful software is developed, my staff and I will turn to the task of deploying the software technicians to Teltrust's numerous switch locations so that the software may be loaded in tested in that environment.

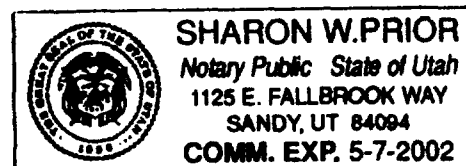
A crucial part of my responsibilities is to ensure that any software or network system change works properly and does not disrupt the company's network, and that every one of Teltrust's consumers continues to receive high quality, uninterrupted services, including non-access call service.

The foregoing statements are true and correct to the best of my knowledge, information and belief.


Joseph Sharkey

Signed and sworn before me this 27 day of October, 1998.


Notary Public



My Commission Expires: 5-7-2002

CERTIFICATE OF SERVICE

I, Kathleen Greenan, do hereby certify that on this 28th day of October, copies of the Petition for Extension of Waiver were sent via hand delivery (*) or first-class mail, postage prepaid, to the following:

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